



## **POLICY 5.015**

**4-H** I recommend that the Board approve the proposed new Policy 5.015, entitled “Student Reassignment.”

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### **Development**

### **CONSENT ITEM**

- This new Policy will codify as a rule the District’s practices and procedures for reassignment and will supersede Directive D-5.04.
- This new Policy recognizes that some students may legitimately reside with a person who is acting as a parent in the absence of the parent, and that person’s residence address can be the basis for reassignment from the school that would otherwise be assigned based on the parent’s address.
- In general, the Department of Choice Programs and School Choice must verify that the proposed receiving school has not reached 100% of FISH capacity before allowing a reassignment request.
- Reassignment will not be allowed, regardless of the level of service, when: the school is a new facility in its first school year; construction-related issues exist, leading to crowding on the campus; or special programs at the school lead to lack of available classrooms.

POLICY 5.015

STUDENT REASSIGNMENT

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6 1. Attendance Where Assigned.-- Except as otherwise allowed below and approved  
7 by the appropriate processes (or except as allowed by assignment to an alternative  
8 school or admission to a choice program such as a magnet program, career  
9 academy, or charter school), all students residing within a particular attendance  
10 zone shall attend the assigned school for the zone of residence. No student may  
11 enroll in a school outside the regular attendance boundary in anticipation of  
12 receiving an approved transfer.
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14 2. Limited Scope.-- This Policy is not intended to govern assignments under Policy  
15 5.01(1)(c), transfers or reassignments under applicable collective bargaining  
16 agreements or under special statutory transfer programs such as the No Child Left  
17 Behind Act, the charter schools statute, the Opportunity Scholarships Program, or  
18 McKay Scholarships for Students with Disabilities Program. Transfers under those  
19 agreements or programs shall be governed by the applicable contract terms or  
20 statutes. Because pre-kindergarten is not a mandatory program, no reassignment  
21 options are available for pre-K students.
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23 3. Discretion to Consider Requests.-- The School Board has delegated to the  
24 Superintendent and/or Department of Choice Programs and School Choice the  
25 authority to consider and approve, when appropriate, individual reassignment  
26 requests for students who desire to attend a school other than the one to which the  
27 student was assigned by virtue of Policy 5.01, as the address of the parent or adult  
28 student.
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30 4. Conditions Precedent to Requests.-- Attendance and discipline records influence  
31 reassignment requests. Both of the following subsections (a) and (b) are conditions  
32 precedent to allowing a request for reassignment:  
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34 a. except under subsections (5)(a) or (h) below, the Department of Choice  
35 Programs and School Choice must verify that the proposed receiving school  
36 has not reached 100% of capacity under the Florida Inventory of School  
37 Houses (except that no reassignment will be allowed, regardless of the level of  
38 service, when:
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40 i. the school is a new facility in its first school year;
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42 ii. construction-related issues exist, leading to crowding on the campus; or
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44 iii. special programs at the school lead to lack of available classrooms); and
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46 b. the requesting student must currently reside in Palm Beach County Florida,  
47 except under subsection (5)(c) below.

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49 5. **Bases for Requests.--** To request reassignment, the parent/student must use the  
50 applicable District form, which must indicate that the parent/student has read and  
51 understood and had an opportunity to ask questions about the form and agrees to  
52 its provisions, including that the student may be required to return to the school in  
53 his/her assigned attendance area for the reasons stated in section (12) below. The  
54 allowable bases for reassignment are:

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56 a. **Moving into the Zone.--** When a student will be moving into a new  
57 attendance zone within 90 calendar days (as documented with valid proof,  
58 such as a deed for the new home, approved building permit, or notarized lease  
59 or rental agreement), the student may request to be currently reassigned to  
60 the school for the new residence.

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62 b. **Completing the School Year.--** A student may request to finish the school  
63 year at the school where the student currently attends, in spite of moving to  
64 another attendance area after the first grading period.

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66 c. **High-School Senior's Privilege.--** Seniors who attended their assigned  
67 schools as juniors may be to be allowed to remain in that same school as a  
68 senior, if they have at least seventeen (17) credits with a cumulative grade  
69 point average of 2.0 at the beginning of the school year, in spite of moving out  
70 of the attendance zone.

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72 d. **Extenuating Health Circumstances.--** Any extenuating health circumstances  
73 asserted as a basis for reassignment must be documented by a student  
74 reassignment health confirmation form (PBSD 1893) completed by a physician  
75 (who must specify the health-related reasons why reassignment is necessary  
76 or desirable). Reasons based on mental health must be stated by a Board-  
77 certified psychiatrist who is not related to the student. All stated health reasons  
78 will be subject to medical review and must be documented to the satisfaction  
79 of the Superintendent/designee.

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81 e. **Supervision Hardship.--** When pre- and/or post-school-day supervision is  
82 determined to be necessary, but is not available at or near the student's  
83 assigned school, a supervision-hardship reassignment may be approved only  
84 for students in grades K-5. The hardship must be documented with a parent  
85 employment verification and a reassignment supervision hardship form (PBSD  
86 0879).

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88 f. **Into-County High School Schedule or Curriculum Compatibility.--** A  
89 student transferring into Palm Beach County during the school year may

90           request reassignment to a school where compatible scheduling or curriculum  
91           is possible. The reassignment will be for the current school year only.

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93       g.   **Majority-to-Minority.--** Students attending their regularly assigned school  
94           and who are of the majority race at that school have first priority for a transfer  
95           assignment to a school in which their race is in the minority.

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97           i.   An application for transfer form must be completed by the parent or legal  
98           guardian of the student and forwarded to the District office designated on  
99           the application form. Application forms will be available in each public  
100           school in Palm Beach County and at the District office, as well as on the  
101           District's Web site.

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103           ii. Absent special circumstances, all transfer requests will be processed in  
104           the order they are received.

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106           iii. Transportation will be provided to those exercising their right to transfer  
107           under this rule if there is an existing bus route and space on that bus;  
108           thus, parents requesting such majority to minority transfers for their  
109           children should select a school reasonably close to their home, such that  
110           the distance traveled or time required for travel is not substantially  
111           increased. Should such transfer substantially increase the distance  
112           traveled, the Superintendent may deny the transfer.

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114           iv. Custodial parents/guardians will be notified in writing of approval or  
115           disapproval of the request.

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117           v.   The Superintendent shall inform all parents about the provisions of the  
118           majority to minority transfer rule by placing the information about the rule  
119           in the student/parent handbook and by providing each student a copy of  
120           the handbook.

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122       h.   **Legitimately Residing with a "Person Acting as a Parent."**-- A student may  
123           request to attend the school assigned to the zone where he/she actually  
124           resides, although living in an attendance area other than the one in which  
125           biological or adoptive parent lives or resided, if the student legitimately resides  
126           with a person acting as a parent under the definition in Fla. Stat. § 1000.21(5)  
127           ("a "guardian of a student," a "person in a parental relationship to a student" or  
128           "person exercising supervisory authority over a student," in place of the  
129           parent). The parent or legal guardian must sign the reassignment form if the  
130           parent or legal guardian is available; otherwise, the "person acting as a parent"  
131           must sign the form. For this purpose, a biological or adoptive parent is  
132           presumed to be "available" unless he/she is deceased, in a coma or otherwise  
133           mentally incapacitated, incarcerated, living in another state or country, or in an  
134           unknown location.

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- i. **Employee Working at the School.**-- If an employee works at a school other than the one assigned by residence area, the employee may request reassignment for their children, of the appropriate grade level, to that school.
  - j. **Other Good Cause Shown.**-- A reassignment may be approved, on a case-by-case basis, if other good and sufficient cause is demonstrated.
6. **Process for Requesting Reassignment.**-- The specific reason(s) for a reassignment request must be explained on the appropriate District form, which is incorporated herein by reference.
- a. Absent special circumstances for hardship cases or when the reason for reassignment arises for the first time after the prescribed date, the application for student reassignment must be submitted by the parent, legal guardian, or person acting as a parent between April 1 and June 1 for first semester placement; and requests for second semester placement must be submitted between October 1 and October 31. Application processing can take up to six (6) weeks.
  - b. The application must be submitted to the Department of Choice Programs and School Choice. The specific school requested in a different attendance zone is subject to change during review by the department.
  - c. A reassignment shall remain in effect until the end of the school year. Continuation beyond that period will be based on school capacity and continuing need, as reviewed by the receiving school's principal.
7. **Appeals Process.**-- In cases in which a reassignment request that has met the conditions precedent (under section (4) above) is not approved, the student or his/her parent shall have the right of appeal to the Superintendent's Transfer Review Committee.
8. **Effect on Extracurriculars.**-- Reassignment does not guarantee eligibility for athletic teams or other extracurricular activities, except as otherwise allowed by law.
9. **Transportation.**-- Reassigned students shall be required to provide their own transportation, unless the reassignment was based on the reasons stated above in subsections (5)(g) or (h).
10. **Failure to Meet Conditions Precedent, as Basis for Denial.**-- Reassignment requests which do not meet the conditions precedent as stated within section (4) above will not be approved.

- 180 11. Voluntary Return to Assigned School.-- Upon request, a student shall be  
181 permitted to return to the assigned school serving his/her attendance zone;  
182 however, such revocation of reassignment shall be made at the end of a semester  
183 unless there are extenuating circumstances.  
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- 185 12. Required Return to Assigned School.-- School reassignment is subject to  
186 change by the Department of Choice Programs and School Choice and the  
187 receiving school's principal for good cause upon review. In cases where a  
188 reassignment was for the purpose of allowing a student to attend a school in an  
189 area outside of his/her assigned area, the student may be required to return to the  
190 school in his/her assigned attendance area if:  
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- 192 a. the student becomes a discipline problem at the receiving school by  
193 committing a Level 3 or Level 4 infraction as categorized in Policy 5.1811 and  
194 Policy 5.1812 (for elementary students) or 5.1813 (for secondary students)  
195 (with the return being subject to the provisions of IDEA or section 504 of the  
196 Rehabilitation Act as reflected in the provisions of the student's IEP or 504  
197 plan, if any);
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  - 199 b. the student demonstrates a substantial attendance problem at the receiving  
200 school by accumulating four (4) unexcused absences (or absences for which  
201 the reasons are unknown) within a calendar month, or eight (8) unexcused  
202 absences (or absences for which the reasons are unknown) within a 90-  
203 calendar-day period (with the return being subject to the provisions of IDEA or  
204 section 504 of the Rehabilitation Act as reflected in the provisions of the  
205 student's IEP or 504 plan, if any);  
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  - 207 c. the student's parent or guardian is unable or unwilling to work cooperatively  
208 within the policies and procedures of the reassigned school;  
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  - 210 d. the reasons for the reassignment are no longer valid (e.g., the parent no  
211 longer has a supervision hardship within the scope of form PBS0 0879);  
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  - 213 e. it comes to the attention of the school that the reassignment or registration  
214 request was fraudulent (e.g. was intended to circumvent athletics-eligibility  
215 rules or was supported by false documentation, in which case any further  
216 reassignments will be precluded for the remainder of the year);  
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  - 218 f. the student fails to enroll in the reassigned school in a timely manner or  
219 withdraws from the reassigned school; or  
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  - 221 g. the school's utilization has increased to exceed 100% of capacity under the  
222 Florida Inventory of School Houses.  
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224 STATUTORY AUTHORITY: §§ 1001.41(2), (3), Fla. Stat.

225 LAWS IMPLEMENTED: §§ 1001.32(2); 1001.41(3), (6), Fla. Stat.

226 HISTORY: New: / /2006

Legal Signoff:

The Legal Department has reviewed proposed Policy 5.015 and finds it legally sufficient for development by the Board.

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Attorney

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Date